

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:12-CV-192-F

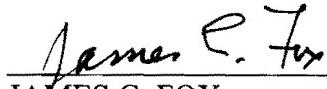
NUTRITION & FITNESS, INC., )  
Plaintiff, )  
v. )  
PROGRESSIVE EMU, INC. and )  
CHRIS BINKLEY, )  
Defendants. )

**ORDER**

This matter is before the court on the Motion for Contempt Sanctions and Request for Expedited Briefing and Consideration at the May 25, 2012, hearing [DE-27] filed by Plaintiff Nutrition & Fitness, Inc. ("NFI") against Defendants Progressive Emu, Inc. and Chris Binkley. Upon consideration, NFI's motion is ALLOWED IN PART AND DENIED IN PART. NFI's request to have the Motion for Contempt Sanctions considered at the May 25, 2012, hearing is ALLOWED. NFI's request for expedited briefing is DENIED. Both parties should be prepared to address this matter at the hearing scheduled on May 25, 2012.

SO ORDERED.

This the 24th day of May, 2012.

  
\_\_\_\_\_  
JAMES C. FOX  
Senior United States District Judge